

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 14, 2023**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Oscar Villalobos

Case Number: 0980 2:21CR00079-TOR-1

Address of Offender: [REDACTED] Washington 99212

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: August 4, 2015

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. § 846

Original Sentence: Prison - 84 months; Type of Supervision: Supervised Release

TSR - 60 months

Revocation Sentence: Prison - 7 months
(February 23, 2023) TSR- 36 months

Asst. U.S. Attorney: Caitlin A. Baunsgard

Date Supervision Commenced: August 23, 2023

Defense Attorney: Federal Defenders Office

Date Supervision Expires: August 22, 2026

PETITIONING THE COURT

To issue a summons.

On August 23, 2023, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Villalobos. He signed the judgment acknowledging the requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Special Condition # 2: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Oscar Villalobos allegedly violated special condition #2 by consuming marijuana between October 5 and 27, 2023,

On October 5, 2023, Mr. Villalobos reported to the United States Probation Office. He was subject to random urinalysis testing and provided a urine sample that was presumptive positive for marijuana. He admitted use.

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On October 24, 2023, Mr. Villalobos reported to the United States Probation Office. He was subject to random urinalysis testing and provided a urine sample that was presumptive positive for marijuana. He denied any recent use and stated it was residual. Due to the continued presumptive positive urinalysis, he was referred to Pioneer Human Services to obtain a substance abuse assessment and placed on the random urinalysis testing program effective immediately.

On November 2, 2023, the urine sample submitted on October 24, 2023, returned positive for marijuana.

On October 27, 2023, Mr. Villalobos reported to the United States Probation Office. He was subject to random urinalysis testing and provided a urine sample that was presumptive positive for marijuana. Initially, he denied use and stated it was residual. After further questioning, he later admitted his last use was on October 7, 2023.

On November 6, 2023, the urine sample submitted on October 27, 2023, returned from the lab as positive for marijuana.

2

Special Condition # 2: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Oscar Villalobos allegedly violated special condition #2 by consuming methamphetamine between October 24 and 27, 2023.

On October 24, 2023, Mr. Villalobos reported to the United States Probation Office. He was subject to random urinalysis testing and provided a urine sample that was presumptive positive for methamphetamine. He denied use. The sample was sent to the lab for confirmation.

On November 2, 2023, the urine sample submitted on October 24, 2023, returned from the lab as positive for methamphetamine.

On October 27, 2023, Mr. Villalobos reported to the United States Probation Office. He was subject to random urinalysis testing and provided a urine sample that was presumptive positive for methamphetamine. Initially, he adamantly denied use. After further questioning, he later admitted last using methamphetamine on October 23, 2023.

On November 6, 2023, the urine sample submitted on October 27, 2023, returned positive for methamphetamine from the lab.

3

Special Condition # 2: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: It is alleged Mr. Villalobos violated the terms of his conditions of supervised release by failing to submit to urinalysis testing as directed on October 26, 2023.

On October 26, 2023, Mr. Villalobos' color was called for random urinalysis testing at Pioneer Human Services. He failed to appear for said urinalysis test.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/09/2023

s/Courtney Hambel

Courtney Hambel
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Thomas O. Rice
United States District Judge

November 14, 2023

Date